

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

Illinois Power Company	:	
	:	
Proposed Revisions to Delivery	:	01-0432
Services Tariff Sheets and Other	:	
Sheets.	:	

PROPOSED INTERIM ORDER

By the Commission:

I. PROCEDURAL HISTORY

On June 1, 2001, Illinois Power Company ("Illinois Power", "IP" or "Company") filed tariff sheets setting forth the Company's proposed rates, terms, and conditions for residential and no-residential delivery services and other related services. The Company also filed its Delivery Services Implementation Plan.¹

A Proposed Interim Order was served on the parties.

II. LEGAL REQUIREMENTS

IP's petition was filed pursuant to Section 16-105 of the Public Utilities Act ("Act"), which states:

To ensure the safe and orderly implementation of delivery services, each electric utility shall submit to the Commission no later than March 1, 1999, a delivery services implementation plan for non-residential customers and no later than August 1, 2001, a delivery services implementation plan for residential customers. The delivery services implementation plan shall detail the processes and procedures by which each electric utility will offer delivery services to each customer class and shall be designed to insure an orderly transition and the maintenance of reliable service. The Commission shall enter an order approving, or approving as modified, the delivery services implementation plan of each electric utility no later than 60 days prior to the date on which the electric utility must commence offering such services.

Since electric utilities, including IP, must begin offering delivery services to certain residential customers beginning May 1, 2002, the Illinois Commerce Commission

¹ The procedural history of this docket will be discussed in detail in the final order.

("Commission") is required to enter an order approving a delivery services implementation plan for IP by March 1, 2002.

III. OVERVIEW OF ILLINOIS POWER'S PLAN

Ms. Jacqueline Voiles, Director of Delivery Services - Business Development Services Department of IP, presented testimony describing the Plan. Ms. Voiles testified that the Plan describes that the proposed Delivery Services Implementation Plan incorporates the necessary changes for residential choice and for consistency with the tariff simplification changes. Ms. Voiles also testified that the revised Delivery Services Implementation Plan reflects other changes in business processes and practices that have been adopted as the result of recent tariff filings and proceedings.

IP's Delivery Services Implementation Plan contains thirteen sections as described below:

Section I, Definitions -- provides a glossary of principal definitions used throughout the Plan.

Section II, "Registration of Retail Electric Suppliers and Customer Self-Managers with Illinois Power" -- describes the procedures and requirements for a customer to designate itself and register with the Company as a Customer Self-Manager ("CSM"); describes the general registration process and supplier credit application process for RES and CSMs; identifies other contractual arrangements between IP and a RES which may be necessary before service can begin, including arrangements for Electronic Data Interchange and Electronic Funds Transfer and contracts for any specific services a RES will be obtaining from IP; identifies continuing obligations of the RES; describes resources IP will make available to assist RES and CSMs in completing the supplier registration process and preparing to execute delivery services transactions; and describes various additional obligations of IP relating to provision of metering and load profiles, maintenance of a list of Commission-certified RES, release of individual customer billing and usage data, and release of generic load profile information in accordance with Section 16-122(b) of the Act.

Section III, "Historical Customer Information" -- describes the customer-specific information that IP will release to a customer or agent as well as listing the fees.

Section IV, "Retail Customer Selection of RES" -- describes the processes associated with the establishment and maintenance of the relationship among the delivery services customer, IP as the delivery services provider, and the RES, including primarily the direct access service request ("DASR") process, as well as return to bundled service.

Section V, “Provision of Interim Supply Service by Illinois Power” – describes interim supply service (“ISS”) to be offered by IP in situations where the RES is unable to supply power.

Section VI, “Retail Customer Selection of Metering Services” – describes the type of metering services available to customers.

Section VII, “Customer Billing Options” -- describes the three billing options of Consolidated Utility Billing, Separate Billing and Consolidated Retail Electric Supplier Billing.

Section VIII, “Payment/Credit/Collection” -- describes the processes and procedures IP will follow with respect to processing payment and collection activities for delivery services customers billed directly by the Company and delivery services customers billed by a RES.

Section IX, “Transmission and Control Area Services” -- Covers the transmission service component of delivery services to be provided in accordance with IP’s FERC-regulated Open Access Transmission Tariff (“OATT”), including ancillary services. Covers registration procedures, scheduling requirements, customer usage, calculation of charges, and billing and payment.

Section X, “Alternative Dispute Resolution Provisions Included in SC 110 and SC 150” -- describes the voluntary alternative dispute resolution process that IP is including in its Tariffs.

Section XI, “Settlement Methodology” -- describes the processes IP will use to measure or estimate the hourly usage of delivery services customers, aggregate those loads by RES or Transmission Service Agent (“TSA”), and determine imbalances in accordance with the OATT.

Section XII, “Retail Customer Request to be Served at a Different Delivery Point or Voltage Level” -- describes the procedure IP will follow to respond to and process a customer’s request to be served at a different point of delivery or delivery voltage.

Section XIII, “Instrument Funding Charges -- RES, or Other Billing Agent, Payment Obligations” -- describes provisions relating to the billing, collection and remittance of IFC Charges by a RES, TSA or other entity who is billing any of IP’s charges for delivery services to a delivery services customer.

IV. COMMISSION STAFF TESTIMONY

Eric P. Schlaf, Economist in the Energy Division of the Commission, submitted testimony concerning IP’s Plan. Dr. Schlaf recommended approval of IP’s Delivery

Services Implementation Plan. Dr. Schlaf further recommended that the Plan be revised when the Commission issues a final order in this proceeding

V. COMMISSION CONCLUSION

The Commission concludes that the Company's Plan, as originally filed, should be conditionally approved in this Interim Order, thereby meeting the requirement of Section 16-105 for an entry of an order approving IP's Plan by March 1, 2002. However, IP is directed to modify its Plan in conformance with the resolution of outstanding issues in the Commission's order on IP's Tariffs, and to file the modified Plan with the Commission and serve copies on the parties to this docket, within 10 business days following service of the Commission's final order on the Company's Tariffs.

VI. FINDINGS AND ORDERING PARAGRAPHS

The Commission, having reviewed the evidence of record and being fully advised in the premises, is of the opinion and finds that:

- (1) Illinois Power Company is an Illinois corporation engaged in the transmission, sale and delivery of electricity to the public in the State of Illinois, and is a "public utility" as defined in Section 3-105 of the Public Utilities Act and an "electric utility" as defined in Section 16-102 of the Public Utilities Act;
- (2) the Commission has jurisdiction of Illinois Power and of the subject matter hereof;
- (3) the statements of fact set forth in the prefatory portions of this Interim Order are supported by the evidence of record and are hereby adopted as findings of fact;
- (4) Illinois Power's Delivery Services Implementation Plan for Nonresidential Customers, filed June 1, 2001, is in compliance with the requirements of Section 16-105 of the Public Utilities Act and should be conditionally approved at this time subject to any additions, deletions or modifications to the Plan which are necessary to conform it to the resolutions of issues in the Commission's final order on Illinois Power's delivery services tariffs;
- (5) Illinois Power should be directed to modify its Plan to conform to the resolution of issues in the Commission's final order on Illinois Power's delivery services tariffs, and to file the revised Plan with the Commission and serve it on the parties to this docket within 10 business days following service of the Commission's final order on the delivery services tariffs; and

IT IS THEREFORE ORDERED that Illinois Power Company's Delivery Services Implementation Plan, filed June 1, 2001, is conditionally approved at this time subject to any additions, deletions or modifications to the Plan which are necessary to conform it to the resolutions of issues in the Commission's final order on Illinois Power's delivery services tariffs.

IT IS FURTHER ORDERED that Illinois Power Company shall comply with Finding (5) of this Interim Order.

IT IS FURTHER ORDERED that this Interim Order is not final and is not subject to the Administrative Review Law.

DATED: January 22, 2002

Michael L. Wallace
Administrative Law Judge

Exceptions due: January 30, 2002
Replies due February 4, 2002